

Message Text

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C O N F I D E N T I A L PARIS 04285

NESCO

E.O. 11652: GDS

TAGS: AORG, OCON, UNESCO, US

SUBJECT: US VOTING ELIGIBILITY UNDER UNESCO REGULA-
TIONS ON ARREARAGES

REF: (A) STATE 33090, (B) PARIS 23440 OF 9/11/75

L. DEPARTMENT'S REFTEL (A) REPEATED REMARKS BY AUSTRALIA'S EXBD MEMBER HUGH PHILP WHEN LATTER VISITED WASHINGTON LAST YEAR. PERMDEL PROVIDED FULL RESPONSE IN ITS REFTEL (B). IN SUM CONSTITUTIONAL SUSPENSION OF VOTING RIGHTS FOR NON-PAYMENT OF AMOUNT OF MORE THAN TWO YEARS OF CONTRIBUTIONS IS WAIVED ONLY IF MEMBER-STATE ESTABLISHES TO SATISFACTION OF GENERAL CONFERENCE THAT "FAILURE TO PAY IS DUE TO CONDITIONS BEYOND THE CONTROL OF THE MEMBER NATION." UNDER CURRENT PROCEDURES US WOULD HAVE TO ADDRESS WRITTEN COMMUNICATION TO UNESCO'S FORTY NATION- EXBD EXPLAINING TO LATTER THE REASONS BEYOND USG CONTROL FOR THE NON-PAYMENT OF THE US CONTRIBUTION AND, ON THESE GROUNDS, REQUESTING A WAIVER OF THE VOTING-LOSS PENALTY. EXECUTIVE BOARD WOULD PROCESS SUCH REQUEST THROUGH ITS FINANCE AND ADMINISTRATIVE COMMISSION AND THEN THROUGH FINAL PLENARY OF BOARD MAKING A "RECOMMENDATION" TO
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THE GENERAL CONFERENCE FOR LATTER'S FINAL APPROVAL OR

REJECTION WHEN IT MET.

2. GENERAL CONFERENCE CAN IN TURN DECIDE TO REFER SUCH WAIVER-REQUESTS WITH ACCOMPANYING EXBD RECOMMENDATIONS TO ONE OF ITS COMMISSION OR COMMITTEES BEFORE TAKING A FINAL DECISION.

3. AS PREVIOUSLY REPORTED IN REFTEL (B), WAIVER REQUESTS HAVE HITHER TO BEEN MADE BY SUCH COUNTRIES AS EL SALVADOR AND MALI WHICH HAVE CITED ECONOMIC HARDSHIPS DUE NATURAL DISASTERS AS REASONS FOR INABILITY TO PAY. WAIVER REQUESTS FROM SMALL AND MANIFESTLY IMPOVERISHED MEMBER STATES--WHOSE BIENNIAL CONTRIBUTIONS TOTAL ONLY A FEW THOUSAND DOLLARS--ARE NORMALLY ROUTINELY ACCORDED FAVORABLE TREATMENT IN THE EXBD AND GENERAL CONFERENCE.

4. DEPARTMENT AGAIN REFERRED FOR EXACT WORDING OF REGULATIONS TO VOLUME I OF THE MANUAL OF THE GENERAL CONFERENCE (1975 EDITION); SPECIFICALLY TO ARTICLE IV, SECTION C, PARA 8 OF UNESCO CONSTITUTION AND TO PARA 79 OF THE GENERAL CONFERENCE RULES OF PROCEDURE.

5. COMMENT: PERMDEL CONTINUES TO FEEL THAT WAIVER MECHANISM IS A NON-STARTER. IF THE US WERE TO PURSUE THIS COURSE, US WOULD (A) BY IMPLICATION BE PLACING ITSELF IN THE SAME CATEGORY AS SMALL L.A. AND AFRICAN STATES STRICKEN BY HURRICANES, EARTHQUAKES, FLOODS AND FAMINES; (B) LAY US OPEN TO POSSIBLY WITHERING CRITICISM FROM A FEW UNFRIENDLY MEMBER-STATES; WITH (C) AT LEAST A CHANCE THAT EXBD MIGHT DEFER JUDGEMENT TO GENERAL CONFERENCE AND THEREBY (D) MULTIPLYING OPPORTUNITIES FOR EMBARRASSING ATTACKS BY SOME OTHER MEMBER-STATES.

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